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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,518	12/09/2003	Brian Jones	60001.298US01	3729
27488	7590	12/29/2005	EXAMINER	
MERCHANT & GOULD (MICROSOFT)			BOTTS, MICHAEL K	
P.O. BOX 2903			ART UNIT	
MINNEAPOLIS, MN 55402-0903			PAPER NUMBER	
			2176	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/731,518

Applicant(s)

JONES ET AL.

Examiner

Michael K. Botts

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/9/03; 9/7/04; 11/8/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>9/7/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This document is the first Office Action on the merits. This action is responsive to the following communications: The Non-Provisional Application, which was filed on December 9, 2003 as a continuation in part of Non-Provisional Application 10/187,060, which was filed on June 28, 2002, and an Information Disclosure Statement (IDS), which was filed on September 7, 2004, and a Preliminary Amendment, which was filed on November 8, 2004.
2. Claims 1-23 have been examined, with claims 1, 9, and 16 being the independent claims.
3. The Drawings are objected to.
4. The Abstract is objected to.
5. The Specification is objected to.
6. Claim 19 is objected to.
7. Claims 1-23 are rejected.

Information Disclosure Statement

8. An initialed and dated copy of applicant's IDS form 1449, which was filed on September 7, 2004, is attached to this Office Action.

Preliminary Amendment

9. The Preliminary Amendment, which was filed on November 8, 2003, is accepted.

Drawings

10. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character that is not mentioned in the description: 500. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Abstract of the Disclosure

11. The abstract of the disclosure is objected to because of the use it does not accurately reflect the invention claimed. The statement that the "ML document may be manipulated on a server or anywhere even when the application creating the ML document is not present" is not claimed, and is essentially inherent in the markup language itself. In addition, the statement that the styles originally used "may be manipulated when the ML document is parsed by other applications," similarly identifies

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a property of a markup language, rather than that of the invention itself. Finally, the statement that "style information (i.e. properties) are save in a markup language (ML) document without data loss, while allowing the styles to be parsed by ML-aware applications and to be read by ML programmers" also merely states inherent properties of the markup language, rather than stating a concise description of the invention.

Correction is required. See MPEP § 608.01(b).

12. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

13. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The Specification

14. Applicant is required to update the status (pending, allowed, etc.) of all parent priority applications in the first line of the specification. The status of all citations of U.S. filed applications in the specification should also be updated where appropriate.

15. This application contains a computer program listing of more than three hundred (300) lines. In accordance with 37 CFR 1.96(c), a computer program listing contained on more than three hundred (300) lines, must be submitted as a computer program listing appendix on compact disc conforming to the standards set forth in 37 CFR 1.96(c)(2) and must be appropriately referenced in the specification (see 37 CFR 1.77(b)(5)). Accordingly, applicant is required to cancel the current computer program listing, file a computer program listing appendix on compact disc in compliance with 37 CFR 1.96(c), and insert an appropriate reference to the newly added computer program listing appendix on compact disc at the beginning of the specification.

Claims Objections

16. Claim 19 is objected to because of the following informalities: It is an exact duplicate of claim 18. Appropriate correction is required.

Claims Rejections – 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

17. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Harold, Rusty Elliotte, "XML Bible," IDG Books Worldwide, Inc., 1999, [hereinafter "Harold"].

Regarding **independent claim 1**, Harold teaches:

A method for representing style information in a markup language document, comprising:

determining properties corresponding to a style that relates to at least one section of an application document;

mapping the properties of the style into at least one of a markup language element, an attribute, and a value; and

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storing the properties of the style in the markup language document.

(See, Harold, pages 1-12, teaching use of XML as a markup language in processing electronic documents. See, Harold, page 12, teaching association of XML and incorporating style properties with XSL. See specifically, Harold, page 8, last full paragraph, teaching XML as a storage format for word processors.)

Regarding **dependent claim 2**, Harold teaches:

The method of Claim 1, further comprising determining whether the style is one of a set including a paragraph style, a character style, a table style, and a list style.

(See, Harold, pages 120-127, teaching table styles applied to paragraphs, characters, tables and a list.)

Regarding **dependent claim 3**, Harold teaches:

The method of Claim 2, wherein additional properties are associated with each of the set of styles such that the custom styles are generated by selected one or more of the additional properties.

(See, Harold, pages 333-335, teaching overriding standard default style sheet styles, which creates custom styles for the style sheet.)

Regarding **dependent claim 4**, Harold teaches:

The method of Claim 1, wherein the style is categorized according to one of a set including a version of a built-in style, a latent style, and a custom style.

(See, Harold, pages 333-335, teaching default styles, which are “built-in” styles.)

Regarding **dependent claim 5**, Harold teaches:

The method of Claim 4, wherein a latent style comprises a style that is a built-in style not yet instantiated by an application.

(See, Harold, page 332, teaching a list of style sheet elements with associated styles as ID's. There is no requirement that all of the ID's be used. Style sheet elements that are built-in, or default, that are not used are not yet instantiated and therefore, by definition, are a “latent style.”)

Regarding **dependent claim 6**, Harold teaches:

The method of Claim 1, further comprising:
determining properties corresponding to an additional style that relates to at least one section of the application document;
mapping the properties of the additional style into at least one of a markup language element, an attribute, and a value; and
storing the properties of the additional style in the markup language document.

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(See, Harold, pages 333-335, teaching the STYLE attribute attached to an element to change a style in one section of the document. See, specifically, Harold, page 332, teaching multiple styles. See generally, Harold, pages 434-511 teaching setting and addition additional styles to documents.)

Regarding **dependent claim 7**, Harold teaches:

The method of Claim 1, wherein the properties of the style stored in the markup language document are understood by an application that understands the markup language when the style is not native to the application.

(See Harold, pages 1-15 teaching that XML may be understood by different applications and that the XML language is “self-describing.”)

Regarding **dependent claim 8**, Harold teaches:

The method of Claim 1, wherein the markup language document is manipulated on a server to substantially reproduce the style of the application document notwithstanding the presence of an application that generated the markup language document.

(See, Harold, page 10, teaching the use of XML with Cascading Style Sheets and XSL etc. to present documents in Web browsers.)

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Regarding **independent claim 9**, claim 9 incorporates substantially similar subject matter as claimed in claims 1 and 2, combined, and is rejected along the same rationale.

Regarding **dependent claims 10-15**, claims 10-15 incorporate substantially similar subject matter as claimed in claim 9 in combination with substantially similar subject matter as claimed in claims 7, 8, 6, 3, 4, and 5, respectively, and are rejected along the same rationale.

Regarding **dependent claim 16**, claim 16 incorporates substantially similar subject matter as claimed in claim 1, and in further view of the following, is rejected along the same rationale. See, Harold, pages 191-200, teaching validating an XML document.

Regarding **dependent claims 17-18**, claims 17-18 incorporate substantially similar subject matter as claimed in claim 16 in combination with substantially similar subject matter as claimed in claims 4 and 6, respectively, and are rejected along the same rationale.

Regarding **dependent claim 19**, claim 19 is an exact duplicate of claim 18 and is rejected on the same grounds.

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Regarding **dependent claims 20-23**, claims 20-23 incorporate substantially similar subject matter as claimed in claim 16 in combination with substantially similar subject matter as claimed in claims 10, 11, 2 and 3, respectively, and are rejected along the same rationale.

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Conclusion

18. The following prior art is made of record and not relied upon that is considered pertinent to applicants' disclosure:

Chang, et al. (U.S Patent 6,968,503 B1), teaching XML accessed on a server from a browser.

Hind, et al. (U.S Patent 6,939,204 B1), teaching an array based XML system.

Yassin, et al. (U.S Patent 6,829,745 B2), teaching XML document transformation with rules.

Li, et al. (U.S Patent 6,799,299 B1), teaching creation of stylesheets.

Pavlov (U.S Patent 6,725,426 B1), teaching XML based word processing.

Muramoto, et al. (U.S Patent 6,725,423 B1), teaching paragraphs in markup

languages.

Britton, et al. (U.S Patent 6,535,896 B2), teaching XML based tools to tailor HTML based Web page display.

Wanderski, et al. (U.S Patent 6,519,617 B1), teaching automated creation of an XML document with DTD.

Yalcinalp (U.S Patent 6,507,857 B1), teaching external stylesheet.

Chen, et al. (U.S Patent 6,507,856 B1), teaching XML document handling.

Cheng-Hung, et al. (U.S Patent 6,397,232 B1), teaching XSL pre-mapping to translate the contents of a document file.

Ferrel, et al. (U.S Patent 6,230,173 B1), teaching markup language based document production.

Cordell (U.S Patent 6,031,989), teaching extension of new tags to a markup language document.

Hill, et al. (U.S Patent 6,023,714), teaching dynamic layout of an electronic document using a stylesheet.

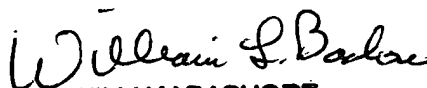
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael K. Botts whose telephone number is 571-272-5533. The examiner can normally be reached on Monday Thru Friday 8:00-4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MKB/mkb


WILLIAM BASHORE
PRIMARY EXAMINER
12/12/2005